

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 00704 01 OF 02 280723Z
ACTION HA-05

INFO OCT-01 ARA-10 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00
PM-05 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SP-02 SS-15 USIA-06 PC-01 AID-05 /093 W
-----074130 280736Z /20

R 272110Z JAN 78
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 4326
INFO USMISSION GENEVA
AMEMBASSY PARIS

C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 0704

E.O. 11652: GDS
TAGS: SHUM, AR
SUBJECT: SEMMEL/CARRO VISIT

REF: STATE 012607 (NOTAL)

SUMMARY: THE FRENCH-AMERICAN DELEGATION REPRESENTING TWO PARIS-BASED HUMAN RIGHTS ORGANIZATIONS VISITED BUENOS AIRES BETWEEN JANUARY 18-25. THE LOOSELY ORGANIZED GROUP WAS GIVEN GOOD TREATMENT BY THE ARGENTINE GOVERNMENT, AND APPOINTMENTS WERE MADE WITH FOREIGN MINISTER MONTES, INTERIOR MINISTER HARGUINDEGUY, ADMIRAL MASSERA AND OTHER LEADERS. DELEGATION ALSO MET WITH PRIVATE ARGENTINE HUMAN RIGHTS GROUPS. INTENTIONS OF DELEGATION WERE TO TRAVEL AT LEAST IN PART TO WASHINGTON, WHERE MEMBERS EXPECTED TO GIVE PRESS CONFERENCE YESTERDAY, JANUARY 26.

MOST SIGNIFICANT INFORMATION WAS DEVELOPED DURING INTERVIEW WITH HARGUINDEGUY, WHO PROMISED THAT AN INSTALLMENT OF NAMES OF PERSONS HELD UNDER "PODER CONFIDENTIAL

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PAGE 02 BUENOS 00704 01 OF 02 280723Z

EJECUTIVO NACIONAL" (PEN) WOULD BE PUBLISHED TODAY JANUARY 27. HARGUINDEGUY ASSERTED THAT OF 3,472 PERSONS NOW UNDER PEN MORE THAN HALF ARE DETAINEES FROM THE PRE-COUP PERIOD, AND ALSO THAT SOME 50 PER CENT ARE ALREADY UNDER SOME KIND OF JUDICIAL PROCESS. THE MINISTER ALSO INDICATED THAT THE RIGHT OF OPTION PROGRAM IS GETTING INTO GEAR, PROMISING 43 NEW DECISIONS IN MID-

FEBRUARY. THOUGH WE CANNOT COMPLETELY RECONCILE HARGUINDEGUY'S ARITHMETIC WITH WHAT HE HAS TOLD US ABOUT DETAINEES ON EARLIER OCCASIONS (SEE 77 BUENOS AIRES 9282), BALLPARK FIGURES ARE FAIRLY CONSISTENT FOR "OFFICIAL DETAINEES." END SUMMARY

1. IN ADDITION TO FRENCH ADMIRAL SANGUINETTI AND TO THE DELEGATION MEMBERS CITED REFTEL, JOHN CARRO--JUDGE OF THE SUPREME COURT, STATE OF NEW YORK--JOINED THE GROUP REPRESENTING THE INTERNATIONAL FEDERATION FOR THE RIGHTS OF MAN. IN ADDITION TO ITS "RIGHTS OF MAN" REPRESENTATION, VISITING GROUP ALSO BROUGHT LETTER OF ACCREDITATION FROM THE INTERNATIONAL MOVEMENT OF CATHOLIC JURISTS/PAX ROMANA. BOTH GROUPS HAVE "NON-GOVERNMENTAL ORGANIZATION" RECOGNITION WITH THE UNITED NATIONS. JUDGE CARRO AND SEMMEL CALLED ON AMBASSADOR JANUARY 23. BOTH SEMMEL AND CARRO REMAINED IN TOUCH WITH EMBASSY, AND JUDGE CARRO GAVE US A DETAILED BRIEFING ON THE CONVERSATION HE HAD WITH MINISTER OF INTERIOR HARGUINDEGUY ON JANUARY 25.

2. ORGANIZATION OF THE FRENCH-US DELEGATION APPEARED TO BE LOOSE, WITH MEMBERS COMING AND GOING AT TIMES OF THEIR OWN CHOOSING AND ATTENDING ONLY THOSE CALLS OF SPECIAL INTEREST. ARGENTINE GOVERNMENT SEEMS TO HAVE PROVIDED VIP TREATMENT, AND DELEGATION MEMBERS WERE CONFIDENTIAL

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PAGE 03 BUENOS 00704 01 OF 02 280723Z

INTRODUCED TO FOREIGN MINISTER MONTES, JUNTA MEMBER ADMIRAL MASSERA AND MINISTER OF INTERIOR HARGUINDEGUY. HARGUINDEGUY SPENT TWO HOURS WITH SANGUINETTI AND JUDGE CARRO. CARRO ARRANGED SEPARATE INTERVIEW FOR HIMSELF WITH JUSTICE MINISTER GOMEZ, AN OCCASION HE DESCRIBED AS PROVIDING FEW INSIGHTS INTO THE HUMAN RIGHTS SITUATION OF THE COUNTRY.

3. HARGUINDEGUY PRESENTATION. OF THE SEVERAL INTERVIEWS THE ONE WITH THE MINISTER OF INTERIOR PROVED MOST INTERESTING. HARGUINDEGUY ROLLED OUT A CARPET OF STATISTICS AND INFORMATION:

A. RIGHT OF OPTION. HARGUINDEGUY CLAIMED THAT THE RIGHT OF OPTION COMMISSION IS FULLY FUNCTIONING IN ACCORD WITH ITS NEW RULES (SEE 77 BUENOS AIRES 7241), INCLUDING WITH ITS THREE FLAG RANK OFFICERS DRAWN FROM THE THREE MILITARY FORCES. (COMMENT: THIS DIFFERS WITH INFORMATION WE HAVE BEEN GIVEN BY BOTH THE NAVY AND AIR FORCE SECRETARIES GENERAL, WHO WERE UNAWARE THAT MEMBERS OF THEIR SERVICES HAD BEEN APPOINTED TO THE COMMISSION.) ACCORDING TO HARGUINDEGUY THIS COMMISSION

CAME TO BEING ON DECEMBER 20, 1977, WITHIN THE 120 DAYS
MANDATED FOR ITS CREATION COUNTING FROM THE SEPTEMBER 1
GOA DECISION REGARDING THE REVISED RIGHT OF OPTION.
HARGUINDEGUY ADVISED THAT THE COMMISSION HAS BEEN
PRESENTED WITH 115 RIGHT OF OPTION REQUESTS. DURING
DECEMBER TEN OF THESE WERE ACTED UPON, AND ALL WERE
GRANTED (SEE BUENOS AIRES 98,1). ON FEBRUARY 15,
HARGUINDEGUY SAID, THE COMMISSION WOULD DECIDE ON 43
MORE RIGHT OF OPTION PETITIONS. HARGUINDEGUY
PRESIDES HIMSELF OVER COMMISSION MEETINGS, WHICH TAKE
PLACE EVERY 15 DAYS. THE MINISTER SAID THAT ACCORDING
TO A LAW A RIGHT OF OPTION PETITIONER MAY TAKE A COMPLAINT
AGAINST THE GOVERNMENT TO COURT IF THE GOVERNMENT HAS
NOT ACTED UPON AN OPTION PETITION WITHIN THE STIPULATED
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CONFIDENTIAL

PAGE 04 BUENOS 00704 01 OF 02 280723Z

120 DAYS.

HARGUINDEGUY TOLD THE FRENCH-US DELEGATION THAT
BEFORE THE SEPTEMBER 1977 RULES WERE PUT INTO EFFECT
573 PERSONS ALREADY HAD BEEN PERMITTED TO LEAVE--
HOWEVER INCLUDED AS PART OF THIS NUMBER MAY HAVE BEEN THE 146
NON-ARGENTINES HARGUINDEGUY SAID WERE "THROWN OUT".
STATING ONCE AGAIN THAT NO PERSONS DANGEROUS TO THE
STATE WERE TO BE GIVEN RIGHT OF OPTION, HARGUINDEGUY
WENT ON TO SAY THAT OF THOSE 10 OPTION APPROVALS IN
DECEMBER ALL HAD LEFT OR WOULD SOON LEAVE THE
COUNTRY TO THE FOLLOWING DESTINATIONS: ONE TO MEXICO,
ONE TO ITALY, TWO TO ISRAEL, ONE TO FRANCE, ONE TO THE
US, ONE TO SPAIN, ONE TO BELGIUM AND TWO TO ENGLAND.

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PAGE 01 BUENOS 00704 02 OF 02 272256Z
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PRS-01 SP-02 SS-15 USIA-06 PC-01 AID-05 /093 W
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R 272110Z JAN 78

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 4327
INFO USMISSION GENEVA
AMEMBASSY PARIS

C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 0704

(COMMENT: WE HAVE CONFIRMED--SEE B.A. 684--THROUGH HER MOTHER THAT THE PERSON TRAVELING TO THE US IS US CITIZEN MARTA ALICIA PANERO, WHOSE ACTUAL RELEASE FROM PRISON HAS BEEN PROMISED TO ENABLE HER TO LEAVE WITH HER FATHER FOR MIAMI ON FEBRUARY 2, 1978. PANERO'S RIGHT OF OPTION PERMISSION APPARENTLY WENT FORWARD ON BASIS OF A DIPLOMATIC NOTE DATED OCTOBER 11, 1977, IN WHICH THE EMBASSY ASSURED GOA THAT BOTH MARTA ALICIA AND HER U.S.C. SISTER--ALSO IN PRISON--COULD BE ISSUED PASSPORTS TO ENTER THE US. A PASSPORT WAS ACTUALLY ISSUED IN DECEMBER 6, 1977. ISRAELI AND BRITISH EMBASSIES HAVE TOLD US THAT NUMBER SAID TO BE DESTINED FOR THOSE COUNTRIES ACCORDS WITH EXPECTATIONS, BUT NEITHER EMBASSY HAD ASSURANCES THAT PERSONS AFFECTED HAD TRAVELED. THE ISRAELI EMBASSY OFFICER SAID, INCIDENTALLY, THAT HIS EMBASSY HAS ISSUED SOME 40 RIGHT OF OPTION CERTIFICATES, AND THAT AN EMBASSY OFFICER HAS VISITED 16 PEOPLE IN JAIL FOR INTERVIEWS CONCERNING RIGHT OF OPTION CERTIFICATE ISSUANCE.)

B. PRISONER STATISTICS. HARGUINDEGUY TOLD HIS JANUARY 25 VISITORS THAT AN INSTALLMENT OF THE TOTAL LIST OF PODER EJECUTIVO NACIONAL PRISONERS WOULD BE RELEASED SOMETIME TODAY, JANUARY 27. HARGUINDEGUY SAID
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PAGE 02 BUENOS 00704 02 OF 02 272256Z

THAT AS OF JANUARY 20, 1978, 3,472 PERSONS ARE DETAINED UNDER PEN. OF THIS NUMBER 1,889 ARE PERSONS DETAINED PRIOR TO TAKEOVER BY THIS MILITARY GOVERNMENT IN MARCH OF 1976. OF THE PRESENT 3,472 HARGUINDEGUY CLAIMED THAT SOME 1,700 HAVE BEEN "SUBMITTED TO PROCESS"--HAVE HAD, THAT IS, CHARGES LODGED AGAINST THEM--AND OF THESE 1,700 CASES "SUBMITTED TO PROCESS" 1,400 WILL BE TRIED BEFORE CIVILIAN COURTS.

HARGUINDEGUY WENT ON TO SPEAK OF 255 PERSONS TO BE TRIED OR ALREADY TRIED BY MILITARY TRIBUNALS, 180 OF WHOM HAVE BEEN FOUND GUILTY. A NUMBER OF THOSE FOUND/GUILTY HAVE APPEALED. HARGUINDEGUY ALSO SPOKE OF 75 PERSONS NOW AWAITING TRIAL BEFORE MILITARY COURTS. (COMMENT: HARGUINDEGUY'S STATISTICS ARE A BIT PUZZLING. BASING OUR ARITHMETIC UPON THE NUMBER OF PEN PRISONERS--3,607--ANNOUNCED DECEMBER 23, 1977, AND ADDING AND SUBTRACTING THOSE PERSONS ANNOUNCED HAVING BEEN PUT UNDER PEN OR TAKEN FROM PEN SUBSEQUENTLY, WE COME UP WITH THE

NUMBER 3,672 AS PERSONS LIKELY HELD AT THIS MOMENT. SIMILARLY, IF 1,400 CIVILIAN COURT CASES EXIST OF A TOTAL OF 1,700 CASES "SUBMITTED TO PROCESS," THEN WE WOULD ASSUME THAT SOME 300 PERSONS ARE AWAITING OR HAVE UNDERGONE MILITARY TRIALS. FIGURES DO NOT BALANCE PERFECTLY, BUT ON THE OTHER HAND IT SHOULD BE REMEMBERED THESE FIGURES ARE BY NOW THIRD HAND AND BASED ON HASTILY WRITTEN NOTES.)

C. OTHER DATA. HARGUINDEGUY SAID THAT HE RECEIVES EACH SEVEN DAYS FROM ARGENTINE MILITARY COMMANDS PHOTOCOPIES OF LISTS OF PERSONS HELD UNDER PEN. HE ALSO ASSURED THE VISITING GROUP THAT "AS OF DECEMBER 20, 1977" ALL DETAINEES MUST BE LODGED IN AN OFFICIAL PLACE OF DETENTION, CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BUENOS 00704 02 OF 02 272256Z

UNLESS A SPECIFIC AND INDIVIDUAL DECREE HAS BEEN GIVEN PERMITTING A PRISONER TO BE HELD ELSEWHERE. REGARDING THE CASE OF ALFREDO BRAVO, HARGUINDEGUY TOLD HIS VISITORS THAT HE SEES MRS. BRAVO OFTEN, AND THAT HE HAS EXPLAINED TO HER THAT WHILE IT MIGHT BE PAINFUL FOR HER HUSBAND TO BE DETAINED, STILL HARGUINDEGUY BELIEVES THIS IS ACTUALLY A PROTECTION FOR HIM--SINCE, HARGUINDEGUY SAID, "OTHER GROUPS" HAVE DECLARED THEIR INTENTION OF DOING BRAVO IN.

4. MASSERA PRESENTATION. ADMIRAL MASSERA TOLD THE ISITING DELEGATION OF HIS OWN PERSONAL SYMPATHY FOR VICTIMS OF EXCESSIVE REPRESSION, ADDING THAT THERE WAS A GREAT DEAL TAKING PLACE IN THE COUNTRY HE FOUND REGRETTABLE BUT THAT HE WAS UNABLE TO DO ANYTHING ABOUT IT. "BASICALLY," THE ADMIRAL SAID, "I AGREE WITH YOU." SPEAKING, MASSERA SAID, MOST CONFIDENTIALLY AND "ENTIRELY OFF THE RECORD," HE FEARED THAT THERE WERE "NEO-FASCIST ELEMENTS WITHIN THE ARMY."

5. FOREIGN MINISTER MONTES. SEMMEL'S BRIEF DESCRIPTION OF HIS DELEGATION'S INTERVIEW WITH ADMIRAL MONTES GAVE THE IMPRESSION THAT THERE A THEME WAS PLAYED THAT HAS BECOME FAMILIAR FROM THE VISITS OF MRS. DERIAN, ASSISTANT SECRETARY TODMAN, CODELS YATRON AND REUSS, ETC. THIS REVOLVES AROUND ALLEGED US MISUNDERSTANDING OF ARGENTINA'S SITUATION, A DEFENSIVE REPLAY OF STATISTICS AND GENERAL HOPES FOR BETTER DAYS AHEAD. ONE DISTURBING RE-PLAY WAS MONTES' ASSERTION THAT HE DID NOT EXPECT THAT THE US AND OTHER COUNTRIES WOULD IN THE END ACCEPT RIGHT OF OPTION CANDIDATES, SINCE THEY WERE DANGEROUS TERRORISTS. THIS SEEMS A POINTLESS CANARD, SINCE IT IS GOA ITSELF THAT ASSERTS THAT NO PERSONS DANGEROUS TO STATE SECURITY WILL LEAVE PRISON

UNDER THE PROGRAM.

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PAGE 04 BUENOS 00704 02 OF 02 272256Z

6. OTHER MEETINGS AND EVENTS. BREVITY OF SEMMEL-CARRO VISITS AND THE FULL SCHEDULE THEY HAD HERE KEPT US FROM GETTING A FULL DE-BRIEFING. IF THIS CAN TAKE PLACE IN WASHINGTON OR NEW YORK WE WOULD BE GRATEFUL TO HEAR THE RESULTS--ESPECIALLY REGARDING VISITS WITH INTERNATIONAL RED CROSS, PERMANENT ASSEMBLY AND ECUMENICAL COUNCIL. CARRO AND SEMMEL BOTH REPORTED THAT THEY WERE FOLLOWED HERE, THEY WERE GIVEN TO UNDERSTAND BY POLICE FOR THEIR PROTECTION. (CARRO, WHO STAYED LONGER, HAD THE WIT AND GOOD GRACE TO MAKE FRIENDS WITH HIS SHADOWS, WHO WOUND UP GIVING HIM RIDES IN THEIR CAR.)
CASTRO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, VISITS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BUENOS00704
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780042-0459
Format: TEL
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780116/aaaaamva.tel
Line Count: 298
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 03b670df-c288-dd11-92da-001cc4696bcc
Office: ACTION HA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 12607
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3703650
Secure: OPEN
Status: NATIVE
Subject: SEMMEL/CARRO VISIT
TAGS: SHUM, AR
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/03b670df-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014